

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

KEITH F. HERVEY, §  
§  
Plaintiff, §  
§  
v. § CIVIL ACTION NO. 3:07-CV-1703-O  
§  
NESTLE USA, INC., ET AL. §  
§  
Defendants. §

**ORDER ACCEPTING FINDINGS AND RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE**

After making an independent review of the pleadings, files and records in this case, and the Findings and Recommendation of the United States Magistrate Judge dated June 9, 2008, the Court finds that the Findings and Recommendation of the Magistrate Judge are correct and they are accepted as the Findings and Recommendation of the Court.

It is, therefore, **ORDERED** that the Findings and Recommendation of the United States Magistrate Judge are accepted.

**SO ORDERED** on this 30<sup>th</sup> day of June, 2008.

  
Reed O'Connor  
UNITED STATES DISTRICT JUDGE